
IN THE HOUSE OF REPRESENTATIVES.

FEBRUARY 6, 1871.

Read twice, referred to the Committee on Commerce, and ordered to be printed.

Mr. COBURN, on leave, introduced the following bill:

A BILL

To encourage emigration to the United States, to regulate the carriage of European immigrant passengers in steamships and other vessels, and for their better protection before, upon, and after arriving at the ports of the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That it shall be the duty of the consuls of the United States
4 in the various countries of Europe to disseminate so far as
5 the laws of those countries may permit, under the direction
6 of the Secretary of State, such practical information relative
7 to the several States and Territories of the United States as
8 shall tend to induce persons desiring to change their nation-
9 ality and seek a new home to emigrate to the United States
10 of America. And it shall be the duty of said consuls to
11 furnish to all such persons information as to the cost of travel
12 to and in said States and Territories, the most advantageous

13 routes of travel thereto, the character of the soil and produc-
 14 tions, and the rates of wages in the different parts of the
 15 United States, the provisions and requirements of the pre-
 16 emption and homestead laws of the United States, and gen-
 17 erally all such information as may serve to encourage, direct,
 18 and protect emigration to the United States; and to distribute
 19 all documents, pamphlets, or newspapers sent for the purpose
 20 of encouraging emigration.

1 SEC. 2. *And be it further enacted,* That for the services
 2 required of them pursuant to this act, the consuls aforesaid
 3 shall be allowed a compensation not exceeding ten per centum
 4 of the amount of salary now allowed them by law. They
 5 shall also be allowed such reasonable contingent expenses as
 6 may be necessary for the discharge of their duties under this
 7 act, the accounts therefor, being subject to the approval of
 8 the Secretary of State, to whom the said consuls shall annu-
 9 ally report their proceedings under this act, and said reports
 10 shall be communicated to Congress within six weeks after the
 11 regular meeting of that body in December of each year.

1 SEC. 3. *And be it further enacted,* That any State or
 2 Territory shall have the right to forward to said consuls,
 3 through the Secretary of State, for distribution, such books,
 4 pamphlets, or other documents, as may be published at the
 5 expense of said State or Territory for the encouragement of
 6 emigration.

1 SEC. 4. *And be it further enacted,* That the said consuls
2 may, under the direction and subject to the approval of the
3 Secretary of State, make such agreements with any line or
4 lines of railroad or steam-vessels as will reduce the cost of
5 emigration to the United States, without, however, incurring
6 thereby any pecuniary liability upon the part of the Govern-
7 ment of the United States.

1 SEC. 5. *And be it further enacted,* That the said consuls
2 shall expose, in their respective offices, such maps and books
3 relative to different regions of the United States, with speci-
4 mens of the agricultural, mineral, and manufactured produc-
5 tions of the different States and Territories, as may be for-
6 warded to them for that purpose, in the manner hereinbefore
7 provided.

1 SEC. 6. *And be it further enacted,* That the sum of ten
2 thousand dollars be, and the same is hereby, appropriated,
3 out of any money in the Treasury not otherwise appropriated,
4 to carry into effect the provisions of this act.

1 SEC. 7. *And be it further enacted,* That there shall not
2 be carried on any vessel on a voyage between the United
3 States and any foreign territory not contiguous thereto a
4 greater number of passengers than in the following propor-
5 tion, to wit: On the second deck and lower deck, neither
6 being an orlop deck, one passenger for every one hundred
7 and twenty cubic feet of clear space contained therein, and

8 on the main deck and poop deck one passenger for every one
9 hundred cubic feet of clear space contained therein, the
10 space in each case to be ascertained in the manner provided
11 by law for the measurement of tonnage; and no passenger
12 shall be carried on an orlop deck or temporary deck, nor on
13 any deck where the height or distance between decks, or from
14 the deck to the roof or covering of deck-houses, measured on
15 the inside, is less than six feet, nor upon any deck not having
16 good and sufficient side-lights and ventilation, nor on any
17 sailing vessel, except upon the main and poop decks and deck-
18 houses, subject to the aforesaid limitation as to space and
19 height between decks. If a greater number of statute
20 adults than the number allowable by the proportion aforesaid
21 be carried during a voyage, or brought within the United
22 States by a voyage, or be taken on board a vessel within the
23 United States for a voyage, the owner, agent, or master shall
24 forfeit fifty dollars for each passenger so carried, brought, or
25 taken on board in excess of the number allowable by the pro-
26 visions of this section. And if the number of such statute
27 adults in excess is more than twenty-five per centum of such
28 allowable number, the owner, agent, or master shall be
29 deemed guilty of a misdemeanor, and upon conviction thereof
30 the owner or agent shall be fined not exceeding five thousand
31 dollars and imprisoned not exceeding six months, or either,
32 at the discretion of the court, and the master shall be im-
33 prisoned not less than six months and not more than one year.

1 SEC. 8. *And be it further enacted,* That the owner,
2 agent, or master shall provide for each statute adult a single
3 berth, not less than six feet in length nor less than two feet
4 in width, or a like space in a double berth, which shall be of
5 the same length and at least four feet in width divided into
6 two compartments by a suitable partition board not less than
7 one foot high; which berths shall be built of good and sub-
8 stantial material and workmanship, shall be ranged length-
9 wise with the vessel against the sides or against a substantial
10 bulkhead or other secure support extending from deck to
11 deck, shall be separated at each end by a like partition of at
12 least the width of the berth from any other berth or structure
13 adjacent; there shall be no more than two tiers of berths if
14 the height or distance between decks is less than seven and
15 one-half feet, nor more than three tiers of berths in any
16 case; and the interval or space between the lowest berth and
17 the deck beneath shall not be less than nine inches; and each
18 deck on which passengers may be carried, under the provis-
19 ions of this act, shall be divided into at least three distinct
20 compartments separated by a well-constructed bulkhead, the
21 foremost of which compartments shall be occupied by single
22 male passengers of the age of twelve years and upward; the
23 next abaft shall be occupied by families, that is to say, con-
24 sisting of husbands and their wives and children under twelve

25 years of age, the berths or cabins in which compartments
26 shall be effectually separated from each other in such manner
27 as to provide suitable privacy and seclusion for each family, or
28 when any such cabin affords more cubic space than is required
29 for each member of one family the extra space shall be
30 occupied by another or part of another family; and the next
31 compartment abaft shall be for the exclusive use and occu-
32 pancy of single females of the age of twelve years and
33 upward; and each compartment shall be connected with the
34 deck above by suitable companion-ways; and in case of a non-
35 compliance with the provisions of this section, the owner,
36 agent, or master of the vessel shall forfeit and pay the sum of
37 five dollars for each passenger on board.

1 SEC. 9. *And be it further enacted,* That the owner,
2 agent, or master shall provide for passengers of each sex a
3 separate hospital in a compartment properly divided off by a
4 partition, in suitable parts of the vessel appropriated for pas-
5 sengers, to be used exclusively as such, properly built and
6 secured, containing not less than eighteen clear superficial
7 feet of the deck for every fifty passengers; and such hospital
8 or hospitals shall be fitted with bed-places, and supplied with
9 proper beds, bedding, and utensils, and throughout the voyage
10 kept so fitted and supplied; and for every failure to comply
11 with any of the requirements of this section, the master,
12 owner, or owners of the vessel shall be liable to a penalty of

13 not less than one hundred dollars, and not more than one
14 thousand dollars.

1 SEC. 10. *And be it further enacted,* That the owner,
2 agent, or master shall provide the passengers in each com-
3 partment on each deck suitable means of communication with
4 the upper deck of the vessel by a substantial stairway, fur-
5 nished with a hand-rail, and covered at the upper deck by a
6 booby-hatch or house over the passage-way leading to the
7 compartments allotted to such passengers below deck, firmly
8 secured to the deck or combings of the hatch, with two doors,
9 the sills of which shall be at least one foot above the deck, so
10 constructed that one door or window in such house may at all
11 times be left open for ventilation. In case of a non-compli-
12 ance with the requirements of this section, the owner, agent,
13 or master shall be liable to a penalty not exceeding five
14 hundred dollars.

1 SEC. 11. *And be it further enacted,* That the owner,
2 agent, or master shall provide for each compartment contain-
3 ing not more than one hundred passengers at least two venti-
4 lators, one of which shall be inserted in the after part of the
5 compartment and the other in the forward part of the com-
6 partment, one of them provided with an exhausting cap and
7 the other with a receiving cap, proportioned to the size of the
8 compartment. In a compartment containing two hundred
9 such passengers the diameter of each shall be twelve inches

10 in the clear, and in like proportion for a smaller or larger
11 number of passengers; said ventilators shall rise at least four
12 feet six inches above the upper deck of the vessel, and
13 be of the most approved form and construction; nevertheless,
14 if it shall appear from the report to be made and approved,
15 as hereinafter provided, that the compartments are equally
16 well ventilated by any other means, such other means of ven-
17 tilation shall be deemed a compliance with the provisions of
18 this section. In case of non-compliance with the provisions
19 of this section the owner, agent, or master shall incur a pen-
20 alty of five hundred dollars.

1 SEC. 12. *And be it further enacted*, That the owner,
2 agent, or master shall provide for the passengers on the up-
3 per deck, housed and conveniently arranged, at least one ca-
4 boose or cooking range, the dimensions of which shall be
5 equal to four feet long and one foot six inches wide for every
6 two hundred passengers; and provision shall be made in the
7 manner aforesaid, in this ratio, for a greater or less number of
8 passengers; but nothing herein contained shall take away the
9 right to make such arrangements for cooking between decks
10 as may be approved by the officers charged with the execu-
11 tion of this act. In case of non-compliance with the require-
12 ments of this section, the owner, agent, or master shall incur
13 a penalty of two hundred dollars.

1 SEC. 13. *And be it further enacted*, That the owner,

2 agent, or master shall, during the voyage, from the time of
 3 receiving the passengers on board, and including the time of
 4 detention at any place before the termination thereof, issue to
 5 each passenger, or, where the passengers are divided into
 6 messes, to the head man for the time being of each mess,
 7 on behalf and for the use of all the members thereof, an
 8 allowance of pure water and sweet and wholesome provisions,
 9 of good quality, as follows: Daily three quarts of water for
 10 each passenger, exclusive of the quantity herein specified as
 11 necessary for cooking purposes; weekly, three and a half pounds
 12 of good navy bread, one pound of wheat flour, one and a half
 13 pound of oatmeal, one and a half pound of rice, one and a
 14 half pound of peas or beans, two pounds of potatoes, one
 15 and a quarter pound of beef, one pound of pork, two ounces
 16 of tea, one pound of sugar, two ounces of salt, one-half an
 17 ounce of mustard, one-quarter of an ounce of ground black
 18 or white pepper, and one gill of vinegar. Substitutions for
 19 the foregoing articles of weekly allowance may be made by
 20 the master as follows, namely: One pound of preserved meat
 21 for one pound of salt pork or beef; one pound of flour, or
 22 navy bread, or one-half a pound of pork or beef for one and
 23 a quarter pound of oatmeal, or one pound of rice, or one
 24 pound of pease or beans; one pound of rice for one and a
 25 quarter pound of oatmeal, and one and a quarter pound
 26 of oatmeal for one pound of rice; three and a half

27 ounces of cocoa or of coffee, roasted and ground, for
28 two ounces of tea; three-quarters of a pound of molasses for
29 one-half a pound of sugar; one gill of mixed pickels for one
30 gill of vinegar. And there shall be issued, in addition to such
31 allowance of water, to each passenger for cooking purposes
32 an additional supply of pure water, at the rate of at least
33 ten gallons for every one hundred passengers for every day
34 of the voyage; and shall cause the food and provisions of all
35 the passengers to be well and properly cooked daily, and to
36 be served out and distributed to them daily, at regular and
37 stated hours, by messes, or in such other manner as shall be
38 deemed best and most conducive to the health and comfort of
39 the passengers, of which hours and manner of distribution
40 due notice shall be given. If the passengers on board any
41 vessel engaged in carrying passengers between the United
42 States and Europe shall, during the time they are entitled to
43 receive the foregoing allowance, be put on allowance in meat,
44 bread, or water, that is, short in quantity or bad in quality,
45 the master, owner or owners of such vessel shall pay one
46 dollar to every passenger for every day and for each particu-
47 lar of bread, water, and meat, in respect to which he shall
48 be put on such allowance, and one-half a dollar to every pas-
49 senger for every day and for every other particular of such
50 weekly allowance in respect to which he shall have been put
51 upon an allowance which is short in quantity or bad in quality,

52 unless it shall be proved that, at the time of leaving the last
53 port from which the vessel set out upon her voyage, she had
54 on board, for the use of the passengers, well secured under
55 deck, a quantity of provisions and water sufficient, according
56 to the allowance herein prescribed, for the voyage. If the
57 owner, agent, or master of any such vessel shall willfully fail
58 to furnish and distribute such provisions, cooked as aforesaid,
59 he or they shall, upon conviction thereof before any circuit
60 court or district court of the United States, be fined not more
61 than one thousand dollars, and shall be imprisoned for a term
62 not exceeding one year. But the enforcement of this penalty,
63 or any of the penalties prescribed by this act, shall not affect
64 the civil responsibility of the owner, agent, or master to such
65 passengers as may have suffered from any violation thereof.

1 SEC. 14. *And be it further enacted,* That the messes
2 into which the passengers in any vessel may be divided shall
3 not consist of more than ten statute adults in each mess, and
4 members of the same family, whereof one at least is a male
5 adult, shall be allowed to form a separate mess. The provi-
6 sions, according to the section, shall be issued, such of them
7 as require to be cooked in a properly cooked state, daily,
8 before two o'clock in the afternoon, to the head person for the
9 time being of each mess, on behalf and for the use of the
~10 members thereof. The first of such issues shall be made
11 before two o'clock in the afternoon of the day of embarkation,

12 to and for such passengers as shall be then on board. And
13 the parents or guardians of sick or nursing infants shall be
14 allowed free access to the caboose or cooking-range, at any
15 time before twelve o'clock, noon, or after two o'clock, after-
16 noon, and permitted there to prepare food for such sick or
17 nursing infants. In case of non-compliance with any of the
18 requirements of this section, the master, owner, or owners of
19 the ship shall, for each offense, be liable to a penalty not ex-
20 ceeding five hundred dollars.

1 SEC. 15. *And be it further enacted,* That the master of
2 every vessel shall maintain good discipline and such habits of
3 cleanliness among the passengers as will tend to the preser-
4 vation and promotion of health; and to that end he shall
5 before sailing cause suitable printed regulations, in the Eng-
6 lish, French, German, and Scandinavian languages, for this
7 purpose, to be posted conspicuously in each compartment;
8 and shall keep the same so posted during the voyage; and
9 shall cause the compartments occupied by such passen-
10 gers to be kept at all times in a clean, healthy state; and the
11 owner or owners of every such vessel are required to con-
12 struct the decks and all parts of said compartments so that
13 they can be thoroughly cleansed; and they shall also provide
14 two safe, convenient privies, or water-closets, in suitable parts
15 of the vessel, for the exclusive use of the passengers of each
16 class of compartments, in the proportion of one privy or

17 water-closet to every fifty passengers; and such privies or
18 water-closets shall not be taken down until the expiration of
19 forty-eight hours after the arrival of the vessel at the port of
20 final discharge, unless all the passengers sooner quit the ves-
21 sel; and the passengers shall be entitled to remain on board
22 the vessel until the expiration of such time, and be provided
23 for and maintained in the same manner as during the voyage.
24 And the master of every such vessel shall permit and require
25 the passengers to bring their beds and bedding to the upper
26 deck, at least three times a week in fine weather, for the
27 purpose of airing the same; and the passengers shall likewise
28 be permitted to frequently exercise on the upper deck. And
29 the owner, agent, or master of every vessel shall provide, for
30 disinfecting purposes, a supply of carbolic or cresylic acid,
31 and cause the same to be used in proper quantity and in a
32 proper manner on the deck occupied by the passengers, and
33 also in the hold, forecastle, and bilges of the vessel as the
34 physician, or the master, if there be no physician, may deem
35 necessary. For every violation of the provisions of this sec-
36 tion, the owner, agent, or master shall incur a penalty not
37 exceeding five hundred dollars nor less than two hundred
38 dollars.

1 SEC. 16. *And be it further enacted,* That the owner,
2 agent, or master of every vessel carrying one hundred per-
3 sons, including the officers, crew, and passengers, and of every

4 vessel of the United States bound on a sea voyage of a thou-
5 sand miles or more, and carrying one hundred persons, shall
6 provide, throughout the voyage, a duly qualified physician,
7 whose competency, in the case of a domestic vessel, shall be
8 determined under such rules and regulations as the Secretary
9 of the Treasury may prescribe; but an alien employed in a
10 foreign vessel, who, by the laws of the country to which the
11 vessel belongs in which he is employed, is authorized to
12 practice, shall be deemed duly qualified; and every such
13 vessel employed as aforesaid shall be provided, for the use of
14 the passengers, officers, and crew, with a supply of medicines,
15 medical comforts, surgical instruments, and other things proper
16 and necessary for diseases and accidents incident to sea
17 voyages, and for the medical treatment of the passengers
18 during the voyage, including carbolic or cresylic acid for dis-
19 infecting purposes, with written or printed directions, for the
20 use of the same respectively, good in quality and sufficient in
21 quantity for the probable exigencies of the voyage, and
22 properly packed and placed under the charge of the physician,
23 when there is one on board, to be used under his direction;
24 and in the case of vessels of the United States bound from a
25 port of the United States, the owner, agent, or master shall
26 have such medicines, medical comforts, instruments, disin-
27 fecting agents, and other things put up by an apothecary or
28 apothecaries to be designated by the Secretary of the Treas-

29 ury, on the recommendation of the superintendent of immi-
30 gration appointed under the provisions of this act, or the
31 collector or other chief officer of the customs of the port,
32 subject to such rules and regulations as the Secretary of the
33 Treasury may prescribe. For any violation of the provisions
34 of this section, the owner, agent, or master shall incur a
35 penalty not exceeding one thousand dollars nor less than five
36 hundred dollars; and any apothecary who shall supply medi-
37 cines, medical comforts, instruments, disinfecting agents, or
38 other things in an adulterated condition or of inferior quality
39 shall be deemed guilty of a misdemeanor, and on conviction
40 thereof shall incur a like penalty; and no such vessel shall
41 be allowed to clear from any port of the United States unless
42 provided as in this section required.

1 SEC. 17. *And be it further enacted*, That the owner of
2 every vessel of the United States carrying passengers, and
3 bound on a sea voyage of five hundred miles or upward, shall
4 provide, for the use of the passengers, officers, and crew, med-
5 icines, medical comforts, and other things, with the directions
6 for the use of the same, and put up as required in the pre-
7 ceding section, in the case of vessels of the United States.
8 And for every violation of this section, the owner, agent, or
9 master shall incur a penalty not exceeding five hundred dol-
10 lars nor less than one hundred dollars.

1 SEC. 18. *And be it further enacted*, That every master

2 or other officer, seaman, or other person employed on board a
3 vessel who shall, during the voyage, under promise of mar-
4 riage, or by threats, or the exercise of his authority, or by
5 solicitation, or the making of gifts or presents, seduce and
6 have illicit connection with any female passenger. shall be
7 deemed guilty of a crime, and upon conviction thereof shall
8 be punished by imprisonment for a term not exceeding twelve
9 months nor less than three months, or by a fine not exceeding
10 one thousand dollars, or both; and the court sentencing the
11 person so convicted may, in its discretion, by an order to be
12 entered on its minutes, direct the amount of fine, when col-
13 lected, to be paid for the use or benefit of the female seduced,
14 or her child or children, if any: *Provided*, That the subse-
15 quent intermarriage of the parties seducing or seduced may be
16 pleaded in bar of a conviction.

1 SEC. 19. *And be it further enacted*, That no officer or
2 seaman, nor other person employed on board of any such
3 vessel, shall visit or frequent any part of the vessel assigned
4 to passengers, except by the direction or permission of the
5 master of the vessel; and every officer, seaman, or other
6 person who shall violate the provisions of this section shall
7 be deemed guilty of a misdemeanor, and, on conviction
8 thereof, shall forfeit to the said vessel his wages for the voyage
9 of the said vessel during which the said offense has been
10 committed, and shall be imprisoned for a term of not less than

11 three months, nor more than twelve months. Any master
12 who shall direct or permit any officer, or seaman, or other
13 person employed on board of such vessel, to visit or frequent
14 any part of said vessel assigned to passengers, except for the
15 purpose of doing or performing some necessary act or duty as
16 an officer, seaman, or person employed as aforesaid, shall be
17 deemed guilty of a misdemeanor, and shall, on conviction
18 thereof, be punished by a fine of five hundred dollars for each
19 occasion on which he shall so direct or permit the provisions
20 of this section to be violated by any such officer, seaman, or
21 other person employed on board of such ship or vessel.

1 SEC. 20. *And be it further enacted*, That the owner, agent,
2 or master of every vessel shall provide one stewardess for every
3 fifty female passengers on board, which stewardess shall be
4 a married woman of good character, and the wife of an
5 employee of the vessel; and one steward for every fifty
6 male passengers on board. And it shall be the duty of the
7 stewardess or stewardesses, and steward or stewards, under
8 the direction of the physician, if there be one, and master or
9 chief mate, to preserve proper order, decorum, and cleanliness
10 in the female and male compartments respectively, and shall
11 assist the physician in taking proper care of the sick, and
12 generally superintend the police of the passenger decks; and
13 such steward or stewards shall not be required to assist in
14 navigating or working the vessel; and such stewards and

15 stewardesses shall be regularly appointed employees of such
16 vessel, and shall not be selected from among the passengers
17 on such vessel; and every such vessel so employed shall
18 have on board a sea-faring man for every one hundred pas-
19 sengers, who shall be employed in cooking the food of the
20 passengers; and said cook shall likewise be exempt from the
21 duty of assisting in navigating or working the vessel. For a
22 violation of any of the provisions of this section, the master,
23 owner, or owners shall incur a penalty of not less than one
24 hundred dollars, nor more than five hundred dollars.

1 SEC. 21. *And be it further enacted*, That the provisions
2 of the act of August thirty, eighteen hundred and fifty-two,
3 and the acts amendatory thereof, so far as they relate to
4 boats and life-preservers on board passenger-steamers, shall,
5 from and after the time this act takes effect, apply with equal
6 force and impose like penalties for their violation in the case
7 of sailing passenger-vessels belonging in whole or in part to a
8 citizen or citizens of the United States.

1 SEC. 22. *And be it further enacted*, That the owner,
2 agent, or master of any vessel carrying passengers to or from
3 the United States shall not carry, as cargo, horses, cattle, gun-
4 powder, bituminous coal, naphtha, benzine, petroleum, nitro-
5 glycerine, lucifer matches, nor any other explosive article or
6 articles which ignite by friction, guano, or green hides, nor
7 any other article, either as cargo as aforesaid, or as ballast

8 which by reason of the nature, quantity, or mode of stowage
9 thereof, will be likely to endanger the health, comfort, or
10 safety of the passengers; and the owner, agent, or master
11 who shall violate any of the provisions of this section shall
12 for each offense, on conviction thereof, incur a penalty of not
13 less than one thousand dollars nor more than ten thousand
14 dollars, and, at the discretion of the court, be imprisoned for
15 a term not exceeding one year nor less than one month.

1 SEC. 23. *And be it further enacted,* That the master of
2 any vessel arriving in the United States, or any of the Terri-
3 tories thereof, from any foreign place whatever, at the time
4 that he delivers a manifest of the cargo, and if there be no
5 cargo, then at the time of making report or entry of the ves-
6 sel, pursuant to law, shall also deliver and report to the col-
7 lector of the district in which such vessel shall arrive, a list or
8 manifest of all the immigrant passengers taken on board of
9 the said vessel at any foreign port or place; in which list or
10 manifest, it shall be the duty of the said master to designate
11 particularly the age, sex, and occupation of the said
12 immigrant passengers, respectively, the compartment of
13 the vessel occupied by each during the voyage, the
14 country to which they severally belong, and that
15 of which it is their intention to become inhabit-
16 ants; and shall further set forth whether any
17 and what number have died on the voyage; which list or

18 manifest shall be sworn to by the said master in the same
19 manner as directed by law in relation to the manifest of the
20 cargo. A correct copy of such passenger list or manifest shall
21 also be delivered at the same time and without delay to the
22 superintendent of immigration at such port where such ves-
23 sel shall arrive, if such officer has been appointed under the
24 provisions of this act ; and the refusal or neglect of the owner,
25 agent, or master aforesaid to comply with the provisions of
26 this section, or any part thereof, shall incur the same penalties,
27 disabilities, and forfeitures as are provided for a refusal or
28 neglect to report and deliver a manifest of the cargo aforesaid,
29 or to make false oath thereto.

1 SEC. 24. *And be it further enacted,* That no such vessel
2 shall take on board at any foreign port or place passengers,
3 with the intent to bring such passengers to the United States,
4 unless the list or manifest required by the provisions of sec-
5 tion twenty-three of this act shall have been duly examined,
6 verified, and certified to by the United States consular officer
7 at such port or place. And such consular officer shall use his
8 utmost diligence to ascertain and discover whether such pas-
9 sengers come from any port, place, or district where, at the
10 time of his or her leaving such port, place, or district, any
11 infectious, contagious, or other disease shall have been raging
12 in an epidemic form ; and if he shall find that no such disease
13 was so raging as aforesaid, he shall duly certify to such list

14 or manifest; otherwise he shall withhold the same, and shall
15 not make such certificate. In such consular certificate he shall
16 fully set forth, in such form as the Secretary of the Treasury
17 shall prescribe, that he has faithfully performed the duties re-
18 quired of him by the provisions of this section, and shall transmit
19 monthly, to the Secretary of the Treasury, a certified copy of
20 each list or manifest made and certified as aforesaid. And if
21 any vessel shall bring any passengers within the jurisdiction
22 of the United States, in violation of the provisions of this
23 section, the owner, agent, or master of such vessel, upon con-
24 viction thereof, shall incur a penalty of not less than one
25 thousand dollars nor more than ten thousand dollars, and shall
26 be liable to imprisonment for a term of not more than one
27 year nor less than three months, at the discretion of the
28 court. And any consular officer of the United States who
29 shall fail to perform the duties imposed upon him by the pro-
30 visions of this section shall, upon conviction thereof, incur a
31 penalty of not less than one thousand dollars; and such con-
32 sular officer shall, upon proper and satisfactory proof, be sus-
33 pended from his office by the President.

1 . SEC. 25. *And be it further enacted,* That in case there
2 shall have occurred on board any vessel arriving at any port
3 or place within the United States, or its Territories, any death
4 among the passengers, (other than cabin passengers,) the
5 master or owner of such vessel shall, within twenty-four hours

6 after the time within which the report and list, or manifest,
7 of passengers is required to be delivered to the collector of
8 customs, pay to the said collector the sum of ten dollars for
9 each statute adult who shall have died on the voyage by
10 natural disease; and the said collector shall quarterly in each
11 year render an account of and pay over the sums of money
12 thus collected or received to the Secretary of the Treasury of
13 the United States. If the master, owner, or consignee of
14 any vessel refuse or neglect to pay to the collector the sum
15 or sums of money required, within the time prescribed
16 by this section, he shall forfeit and pay the sum of fifty
17 dollars in addition to such sum of ten dollars for each passen-
18 ger upon whose death the same has become payable, to be
19 recovered by the United States in any circuit or district court
20 of the United States where such vessel may arrive, or such
21 master, owner, or consignee may reside; and when recovered,
22 the said money shall be disposed of in the same manner as is
23 directed with respect to the sum or sums required to be paid
24 to the collector of customs.

1 SEC. 26. *And be it further enacted*, That the superintend-
2 ent of immigration appointed under the provisions of this act,
3 or where no such appointment has been made, the collector
4 of the customs at any port of the United States at which any
5 vessel shall arrive, or from which any vessel shall be about to
6 depart, shall examine such vessel and ascertain whether the

7 requirements of this act have been complied with. He shall
8 also examine each vessel on its arrival at his port, and report
9 to the Secretary of the Treasury the time of sailing, the length
10 of the voyage, the ventilation, the number of passengers,
11 their nationality, their supply of food, the number of deaths,
12 the sex of those who died during the voyage, with his opinion
13 of the cause of the mortality, if any, and, if none, what
14 precautionary measures, arrangements, or habits are supposed to
15 have been instrumental in causing the exemption, and such other
16 information as the Secretary of the Treasury may prescribe,
17 and shall quarter-yearly forward copies of the manifest
18 or list of passengers herein provided to the Secretary of the
19 Treasury of the United States, by whom statements of the
20 same shall be laid before Congress. The Secretary of the
21 Treasury shall make such rules and regulations, and cause
22 to be made such special examinations into the practical
23 operation of this act, and of the efficiency of the officers
24 acting thereunder, as he may consider necessary; and the
25 expenses incurred in making such examinations shall be paid
26 out of any money in the Treasury of the United States not
27 , otherwise appropriated.

1 SEC. 27. *And be it further enacted,* That in any case in
2 which, by this act, a penalty recoverable by civil action is
3 declared, the amount thereof may be recovered either by
4 remedy against the person chargeable, as in such case pro-

5 vided, or by suit against the vessel as for a forfeiture thereof,
6 which, for that purpose, is in such case hereby declared ; but
7 any judgment of such forfeiture shall be satisfied by recovery
8 of such amount as fixed by decree of the court, together
9 with the lawful costs and charges of the proceeding. In
10 any such proceeding against the vessel, no seizure thereof
11 other than by warrant of arrest issuing from the court shall
12 be requisite.

1 SEC. 28. *And be it further enacted,* That all the penal-
2 ties imposed by the provisions of this act may be sued for
3 and recovered in the name of the United States, in the dis-
4 trict court or circuit court or before a commissioner of either
5 of said courts within the jurisdiction of which the offense
6 shall have been committed, or in which the offender may come ;
7 one-half of such penalties when recovered, unless other-
8 wise provided, shall be to the use of the informer, and one-
9 half to the use of the United States.

1 SEC. 29. *And be it further enacted,* That every master
2 shall keep posted, during the entire voyage, in a conspicuous
3 place in each compartment and in the forecastle, at least one
4 copy of a synopsis of the provisions of this act, printed in
5 English, French, German, and Scandinavian, to be prepared
6 by the superintendent of immigration, under the direction
7 and with the approval of the Secretary of the Treasury, and
8 supplied in sufficient quantities to the consular officers and

9 collectors of customs of the United States, who shall, on the
 10 application of any master, for the certificate required by the
 11 twenty-fourth section of this act, furnish such master with four
 12 sets of the synopsis aforesaid. For every violation of this
 13 section such master, or the owner or owners of such vessel,
 14 shall, upon conviction thereof, incur a penalty of five hundred
 15 dollars; and if it shall appear, by the examination to be made
 16 by the superintendent of immigration, or the collector of the cus-
 17 toms, as provided in the twenty-sixth section of this act, that
 18 the requirements of this section have not been complied with,
 19 it is hereby made the duty of such superintendent of immi-
 20 gration or collector to institute suit in the proper court for
 21 the recovery of the penalty herein specified: *Provided*, That
 22 a certificate from such consul or consular officer of the United
 23 States, to the effect that he was not, at the time of the appli-
 24 cation aforesaid, in possession of such synopsis of the provis-
 25 ions of this act, shall exempt such master, or owner, or
 26 owners of such vessel from liability to the penalty imposed
 27 by this section.

1 SEC. 30. *And be it further enacted*, That this act shall
 2 take effect within sixty days from the time of its approval;
 3 and it is hereby made the duty of the Secretary of the
 4 Treasury to give notice, in the ports of Europe and elsewhere,
 5 of this act in such manner as he shall deem proper.

1 SEC. 31. *And be it further enacted*, That whenever any
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2 damage is sustained by any passenger, in his or her person,
 3 or by injury to his or her baggage, after he or she shall
 4 have embarked in a vessel, either by dereliction of duty or
 5 non-observance of the provisions of this act, on the part of
 6 the owner, agent, or master, or other employee on board the
 7 vessel, the owner, agent, or master shall be liable to the full
 8 amount of damage to every person so injured, or his or her
 9 legal representatives; and in any action on the part of a pas-
 10 senger for damages, it shall not be a defense that the party
 11 injured consented to the act or acts complained of, or took
 12 passage with the knowledge of them.

1 MISCELLANEOUS PROVISIONS.

2 SEC. 32. *And be it further enacted,* That for the pur-
 3 poses of this act the following words and expressions, when-
 4 ever they occur, shall, respectively, have the following signi-
 5 fication, if not inconsistent with the context or subject-matter,
 6 that is to say:

7 “Passengers” shall include all passengers except cabin
 8 passengers and infants less than one year old; and no persons
 9 shall be deemed cabin passengers unless the space
 10 allotted to his or her exclusixe use shall be in the
 11 proportion of at least thirty-six clear superficial feet of
 12 deck to each statute adult, nor unless they shall be messed
 13 throughout the voyage at the same table, with the master or
 14 first officer of the ship.

15 “Statute adult” shall signify and include one passenger
16 over twelve years of age, or two passengers under twelve
17 years of age.

18 “Single male” shall signify a male passenger over twelve
19 years of age, unmarried or unaccompanied by his wife.

20 “Single female” shall signify and include a female passen-
21 ger over twelve years of age, unmarried or unaccompanied
22 by her husband.

23 “Owner” shall signify and include the owner or charterer
24 of a “vessel” herein described.

25 “Master” shall signify the person who shall be borne on
26 the ship’s articles as master, or who, other than a pilot, shall,
27 for the time being, be in charge or command of a vessel.

28 “Agent” shall signify and include a consignee and any
29 person other than the master, authorized to act for the owner
30 in matters relating to the passage contract.

31 “Vessel” shall signify every description of sea-going
32 vessel, domestic or foreign, propelled otherwise than by oars,
33 and employed in the carriage of passengers upon any voyage
34 to which the provisions of this act extend.

35 “Main deck” shall signify the deck in a vessel immedi-
36 ately beneath the upper or spar deck; the “second deck” shall
37 signify the deck immediately beneath the “main deck;” and
38 the “third deck,” not being an orlop deck, shall signify the
39 deck immediately beneath the second deck.

40 “Compartment” shall signify a space on a vessel on any

41 proper deck, kept free of cargo or stores, for the exclusive
42 use and occupation of passengers extending fore and aft to a
43 substantial bulk-head, built athwart-ships and firmly attached
44 to the side of the vessel, and having suitable means of ready
45 communication with the upper deck.

46 "Voyage" shall signify and include a voyage of any
47 such vessel, with passengers on board, from a foreign territory
48 to the United States, or from the United States to a foreign
49 territory.

50 That a landing depot for immigrant passengers
51 from foreign countries to the United States shall be established
52 at the port of New York, and at such other ports as may be
53 designated by the Secretary of the Treasury, who shall ap-
54 point at each of such ports an officer, to be known as the
55 superintendent of immigration, whose term of office shall be
56 four years, and who shall receive such compensation as shall
57 be fixed by the Secretary of the Treasury: *Provided*, That
58 the superintendent of immigration for the port of New York
59 shall not receive less than three thousand dollars per annum.
60 He may appoint such subordinates, clerks, and assistants, and
61 at such rates of compensation, as may be approved and estab-
62 lished by the Secretary of the Treasury. He shall, before
63 entering upon the discharge of his duties, give such bonds for
64 the faithful performance of all the duties imposed upon him by
65 the provisions of this act as the Secretary of the Treasury may
66 direct and approve.

1 SEC. 33. *And be it further enacted*, That the salaries
2 of superintendents, and of their subordinates, clerks, and as-
3 sistants, and the expenses of establishing and maintaining
4 immigrant landing depots, as herein provided, and all other
5 expenses incurred in the execution of this act, shall be pro-
6 vided for by annual appropriation, and shall be paid out of
7 the Treasury of the United States, under such rules and regu-
8 lations as the Secretary of the Treasury may prescribe.

1 SEC. 34. *And be it further enacted*, That it shall be
2 the duty of superintendents of immigration, under
3 the direction of the Secretary of the Treasury,
4 to provide a suitable place for the reception of passengers
5 upon their arrival, lease the necessary wharves and piers, and
6 lease or erect suitable structures thereon; receive all immi-
7 grants and superintend their disembarkation and the landing
8 of their effects; make and preserve an accurate registry of
9 the name, age, occupation, birth-place, last legal residence,
10 and present destination of each; protect them against im-
11 position and fraud; aid such as desire in obtaining employment;
12 provide, at the expense of the vessel, for the immediate and
13 temporary necessities of those who arrive destitute; and
14 furnish such information and facilities as will enable immi-
15 grants to proceed to their respective places of destination in
16 the cheapest and most expeditious manner; and to enable
17 them to make contracts and all other suitable arrangements

18 with railroad and transportation companies for their convey-
19 ance, upon the most advantageous terms, specifying particu-
20 larly that comfortable and commodious cars shall in all cases
21 be provided, and that immigrant trains shall be run at the
22 usual passenger rates of speed and without any unnecessary
23 detention, and that managers, officers, and agents shall pay
24 due regard to the safety, health, and comfort of immigrants,
25 as herein provided. And superintendents of immigration
26 may issue permits to suitable persons, in their discretion, to
27 convey passengers from vessels, by barge or otherwise, to the
28 wharves of the landing depots, and may likewise issue per-
29 mits, in the same manner, to suitable persons, for the transac-
30 tion at the landing depots of any proper and legitimate busi-
31 ness connected with the transportation of immigrants, the
32 conveyance of their luggage, and other purposes of necessity
33 and convenience. And no person shall be permitted to engage
34 in any business connected with the landing or forwarding
35 of immigrants, or to solicit immigrants for any purpose
36 whatever, except upon the written permit and license of the
37 superintendents of immigration as aforesaid. And superin-
38 tendents of immigration shall exercise due care and vigilance
39 in guarding immigrants from unworthy influences, and
40 especially from the interference of speculators and persons of
41 evil design, and to this end may adopt such rules and regu-
42 lations, subject to the approval of the Secretary of the

43 Treasury, as may be necessary to secure the proper and
44 adequate protection of the immigrants. And it shall further
45 be the duty of the superintendents of immigration to see that
46 the provisions of this act respecting the carriage of passengers
47 in steamships and other vessels are strictly complied with,
48 and to enter complaints for any violation thereof before any
49 circuit court or district court of the United States. And
50 they shall also perform such other duties as may be prescribed
51 by the Secretary of the Treasury.

1 SEC. 35. *And be it further enacted*, That it shall be the
2 duty of railroad companies to provide comfortable and com-
3 modious passenger cars for the transportation of immigrants.
4 Each car shall be provided with a stove and fire when needed,
5 and constantly with vessels for holding water, and with a
6 supply of clean water for drinking and washing, with a water-
7 closet, and with proper ventilators and movable sashes to at
8 least one-fourth of the windows. The trains carrying immi-
9 grants shall be run at the ordinary rate of speed of passenger
10 trains, and no more passengers shall be allowed upon them
11 or in any car than can be seated therein, and the same shall
12 be swept out and cleaned at least once each day. And it
13 shall be the duty of the proprietors and officers of every
14 steamboat or canal-boat carrying immigrants to provide for
15 them the same amount of room as in vessels upon the high
16 seas hereinbefore required, and keep such boats

17 in a cleanly condition. And any railroad or other
18 transportation company, or proprietor of a boat or
19 other conveyance, who shall fail or refuse to comply with
20 these conditions, shall not be allowed to make contracts for
21 carrying such passengers, and shall not be allowed to carry
22 such passengers. And in case the officers or agents of such
23 railroad, or other transportation company, or proprietor of any
24 boat or other conveyance, shall violate or permit violations of
25 this act in relation to their duties, such company or proprietor
26 shall forfeit the full amount of fare paid by the passengers on
27 such conveyance at the time of such violation, to be recovered
28 by such passenger or passengers in an action of debt against
29 said company or proprietor as aforesaid. And the conductor
30 of any train, or the captain or master of any boat in charge
31 of the same, when any violations of this act in relation to
32 the carrying of passengers therein shall occur, shall be deemed
33 guilty of a misdemeanor, and upon conviction shall be fined
34 in any sum not less than five hundred dollars. And it shall
35 be the duty of the Secretary of the Treasury to appoint
36 inspectors of trains, boats, and other conveyances, who are
37 authorized to go at any time upon such trains, boats, or con-
38 veyances, and inspect the same, to secure the health, safety,
39 and the direct and speedy transportation of such passengers.

1 SEC. 36. *And be it further enacted,* That all immi-
2 grants brought to any port of the United States shall be

3 landed, either directly from the vessel, at the wharf of the
4 landing depot, or by lighters duly authorized by the superin-
5 tendent of immigration, in accordance with the provisions of
6 the thirty-fourth section of this act; and if any immigrant
7 passengers shall be landed from any vessel otherwise than in
8 accordance with the provisions of this act, the owner, agent,
9 or master of such vessel shall be liable to a fine of not less
10 than one hundred dollars for each offense. And if any person
11 shall transact, or attempt to transact, any business connected
12 with the landing or forwarding of immigrants without first
13 obtaining a permit from the superintendent of immigration,
14 as provided for in the thirty-fourth section of this act, or
15 shall solicit immigrants for any purpose without first having
16 obtained such permit, such person shall be liable to a fine of
17 not less than five hundred dollars for each offense. And if
18 any person shall solicit, or employ others to solicit, female
19 passengers for any house of ill-fame or other place of bad
20 repute, such person shall be deemed guilty of a misdemeanor,
21 and, upon conviction thereof before any court of competent
22 jurisdiction, shall be punished by a fine of not less than five
23 hundred dollars, and by imprisonment not more than three
24 years. And it shall be the duty of superintendents of immi-
25 gration to cause complaints to be entered for any violation of
26 this provision, and prosecute the same in the name of the
27 United States to final judgment.

1 SEC. 37. *And be it further enacted,* That if any vessel
2 bringing passengers shall arrive at any port of the United
3 States at which no superintendent of immigration shall have
4 been appointed, then the duties of superintendent of immi-
5 gration shall devolve upon and be performed by the collector
6 of customs at such port.

1 SEC. 38. *And be it further enacted,* That it shall not
2 be lawful for any person, other than the officers of the cus-
3 toms and of the superintendent of immigration, or his subor-
4 dinates, clerks, and assistants, and those specially licensed
5 by the superintendent of immigration, (the health officer and
6 his deputies, being physicians at the port of arrival,) to go on
7 board of or have any communication with any ship or vessel
8 having immigrants on board, or with the passengers thereof,
9 until after they shall have been landed therefrom; and no
10 officer of the United States, at the port of arrival, shall,
11 directly or indirectly, be interested as agent or employee of
12 any railroad, steamboat, or transportation company, or per-
13 son engaged in transportation of immigrants, or in keeping
14 boarding-houses or houses of entertainment for immigrants,
15 or engaged at such port in any business connected with the
16 forwarding of immigrants or their luggage. Any person
17 violating the provisions of this section shall be deemed guilty
18 of a misdemeanor, punishable by a fine of not less than one
19 nor more than five hundred dollars, and also, in the discre-

tion of the court, with imprisonment not exceeding one year. It shall be the duty of the superintendent of immigration, or of the collector of customs at such port where no superintendent of immigration shall have been appointed, forthwith, on the violation of any of the provisions of this section, to report the same to the district attorney of the district within which such violation may have occurred, and it shall be the duty of such district attorney to bring the party accused of such violation to trial without delay; and cases of such violation shall have precedence in any court of the United States over every other class of criminal cases.

1 SEC. 39. *And be it further enacted,* That contracts made
2 in a foreign country whereby emigrants to the United States
3 shall pledge their labor, to be specifically performed upon and
4 after their arrival in the United States, shall not be valid in
5 the United States, and the same shall not be enforced in the
6 courts of the United States, nor in the courts of any State or
7 Territory of the United States. And it shall be unlawful for
8 any person to engage, or to offer to engage, in the business of
9 procuring immigrants to the United States, either for himself
10 or others, under any form of labor contracts, or to engage, or
11 offer to engage, in the business of importing immigrants to
12 the United States, either for himself or others, under any
13 form of labor contracts; and if any person shall engage, or
14 offer to engage, in the business of procuring or importing im-

15 migrants, or of contracting with them, contrary to the pro-
16 visions of this act, such person so offending shall be deemed
17 guilty of a misdemeanor, and, upon conviction thereof before
18 any circuit court or district court of the United States, shall
19 be punished by a fine of not less than five hundred dollars
20 nor more than three thousand dollars for each offense, and by
21 imprisonment not less than six months nor more than three
22 years.

1 SEC. 40. *And be it further enacted*, That if the master,
2 owner or agent of any vessel shall knowingly transport to
3 the United States any immigrant procured or contracted for
4 contrary to the provisions of this act, such master, owner, or
5 agent shall be deemed guilty of a misdemeanor, and, upon
6 conviction thereof before any circuit court or district court of
7 the United States, shall be punished by a fine of not more
8 than five thousand dollars for each offense.

1 SEC. 41. *And be it further enacted*, That it shall be
2 unlawful for any person or persons, firm, corporation, or asso-
3 ciation to contract for the labor or service of immigrants
4 arriving within the United States with any other person than
5 with the immigrant himself; and no contract made with im-
6 migrants upon and after their arrival in the United States,
7 whereby the labor of the immigrants shall be pledged for a
8 term of years, shall be held to be valid, nor shall the same
9 be enforced in the courts of the United States, nor in the

10 courts of any State or Territory of the United States; and if
11 any person acting for himself or as an agent for any other
12 person or persons, firm, corporation, or association, shall con-
13 tract or offer to contract, or employ others to contract for the
14 labor of immigrants contrary to the provisions of this act, he
15 shall be deemed guilty of a misdemeanor, and, upon convic-
16 tion thereof before any circuit court or district court of the
17 United States, shall be punished by a fine of not less than
18 one hundred nor more than five hundred dollars for each
19 offense.

1 SEC. 42. *And be it further enacted*, That it shall be the
2 duty of superintendents of immigration, and if there are no
3 superintendents of immigration, then of such officers as shall
4 be detailed by the Secretary of the Treasury for this purpose,
5 to inquire particularly as to whether any immigrants arriving
6 at their respective ports were procured or imported or brought
7 to the United States contrary to the provisions of this act, and
8 to fully inform such immigrants, if any such there shall be,
9 as to the laws of the United States and the decisions of the
10 courts therein in respect to the specific performance of con-
11 tracts, and especially as to the provisions of this act and the
12 rights of immigrants and the voidance of their obligations
13 thereunder, and to institute all necessary proceedings for their
14 relief, and to enter complaints in the courts of the United
15 States for any violations of the provisions of this act.

1 SEC. 43. *And be it further enacted,* That no person
2 shall be qualified to fill any office under this act who shall be
3 directly or indirectly interested in the sale of lands to immi-
4 grants, or interested in any corporation having lands for sale
5 to immigrants, either from foreign countries to the United
6 States and its Territories or to any part thereof, or who shall
7 receive any fee or reward, or the promise thereof, for any
8 service performed, or any benefit rendered to
9 any person or persons in the line of his duty,
10 under this act. And if any officer provided for under
11 this act shall receive from any person or company any fee or
12 reward, or promise thereof, for any services performed, or any
13 benefit rendered to any person or persons, in the line of his
14 duty under this act, he shall, upon conviction, be fined one
15 thousand dollars, or be imprisoned not to exceed three years,
16 at the discretion of a court of competent jurisdiction, and for-
17 ever after be ineligible to hold any office of honor, trust, or
18 profit in the United States.

1 SEC. 44. *And be it further enacted,* That every superin-
2 tendent of immigration shall, every three months, submit to
3 the Secretary of the Treasury a complete and detailed report
4 of the foreign immigration at the port for which he is appointed,
5 and every collector of the customs of each port shall render
6 to the Secretary of the Treasury, quarterly, a detailed account

7 of all the moneys received by him under the provisions of
8 this act.

1 SEC. 45. *And be it further enacted*, That an act en-
2 entitled “An act to encourage immigration,” approved July
3 four, eighteen hundred and sixty-four, and all other acts and
4 parts of acts inconsistent with this act, are hereby repealed;
5 but such repeal shall not affect any security given before this
6 act takes effect, anything done before this act takes effect,
7 any liability accruing before this act takes effect, any fine,
8 penalty, forfeiture, or other punishment incurred, or to be in-
9 curred, in respect to any offense committed before this act takes
10 effect, or any legal proceeding or other remedy for enforcing
11 or recovering any such liability, penalty, forfeiture, or punish-
12 ment as aforesaid; and such repeal shall revive no act hereto-
13 fore repealed.